FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
C.A. NO.1022 OF 2006
IN
WRIT PETITION NO.2997 OF 1997

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.A.S.Rao for applicants.
Mr.G.R.Khan for respondent.

CORAM : H.L GOKHALE &
J.H.BHATIA, JJ.

DATED : 7th July 2006

P.C. :

1. Heard Mr.Rao in support of this Application. Mr.Khan appears for the respondent.

2. By an order passed by a Division Bench of this Court on 12th July 2004 in Writ Petition No.2997 of 1997, the respondent herein, was directed to be given a hearing by the 1st applicant-Kalyan Dombivli Municipal Corporation. That could not be done within the time provided and hence, this Civil Application is moved seeking a

further period of three months. A further affidavit is filed by one Shri Chandrakant Mane, Municipal Secretary stating therein that since the General Body consists of 112 members, it will be difficult for all the 112 members to hear the respondent. It is, therefore, submitted in this affidavit that instead of all the 112 members, it would be easier for both parties in the case that matter is heard by a Committee constituted by the General Body. The request is quite legitimate.

3. In the circumstances, the Municipal Secretary will have to place this subject before the General Body of the 1st applicant-Kalyan Dombivli Municipal Corporation wherein an appropriate small Committee of the members would be appointed.

4. Mr.Rao appearing for the

applicants makes a statement that in the first meeting to be held hereafter this subject will be placed before the Full House and a request will be made to take decision. We expect the Committee to be appointed in the General Body to hear and decide the remanded matter of the respondent within two months after the Committee is constituted. This is as per the request made by Mr.Rao. Mr.Khan appearing for the respondent points out that the respondent is out of job and, therefore, the hearing be completed at the earliest.

5. We have noted the submissions of both the Counsel and in our view, the ends of justice will be met if the time is extended as sought. As requested in the Application, we permit the 1st applicant-Kalyan Dombivli Municipal Corporation to place

this subject before the Full House in the first meeting to be held hereafter and we expect the Committee to be appointed thereafter to decide the remanded matter within two months after the Committee is constituted. Time will stand extended accordingly. This is also on the footing that the respondent will fully co-operate in the early disposal of the remanded matter.

6. Civil Application is allowed in the aforesaid terms.

(H.L.GOKHALE, J.)

(J.H.BHATIA, J.)